

## REMARKS

The application includes claims 1-33 prior to entering this amendment.

The examiner rejected claims 1-33 under 35 U.S.C. § 103(a) over Billington et al. (U.S. Patent 7,103,760) in view of Konetski et al. (U.S. Patent Application Publication No. 2002/0103880) and Clough et al. (U.S. Patent 6,670,982).

The applicants amend claims 1, 3-4, 11, 14, 15, 19, 27, and 29.

The application includes claims 1-33 after entering this amendment.

The applicants do not add new matter and respectfully request reconsideration.

## Interview Summary

The applicants thank examiner Murray for the telephonic interview of 3/24/2009. During the interview, the applicants discussed proposed claim amendments and the cited references. Examiner Murray indicated that he found the claim amendments and remarks persuasive but did not agree to allowance.

## Claim Rejections Under § 103

The examiner rejected claims 1-33 under § 103(a) over Billington in view of Konetski and Clough. The applicants respectfully traverse the rejections for the reasons that follow.

Billington discloses an embedded electronic device connectivity system to extend the functionality of a peripheral device.<sup>1</sup> This peripheral may be a thin client device 12 having respective ports for connecting to a processor 14 via a network 21 and to another peripheral(s), such as a data storage drive 80.<sup>2</sup> Data may thus be transferred between the devices connected to the peripheral so that the peripheral and connecting devices may share or make concurrent use of “the resources of one powerful PC, which acts as a server....”<sup>3</sup> However, Billington does not disclose the manner of and trigger for the data transfer. In particular, referring to independent claim 1, Billington fails to disclose “a controller configured to control data transfer between the network port and the data/memory port including, in one mode, fully automatic control enabling transferring substantially unidirectionally data stored at the memory device through the data/memory port to the server via the network port...” Nor does Billington show this transfer,

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<sup>1</sup> Billington; abstract.

<sup>2</sup> Billington; Fig. 11 and col. 13, line 25.

<sup>3</sup> Billington; abstract, col. 5, lines 56-57; col. 9, lines 57-60; col. 13, line 63; and col. 14, lines 5-6 and 12-14.

as recited in claim 1, “responsive to” or conditioned on “automatically detecting the memory device through the data/memory port.” Independent claims 11, 19, and 27 recite a similar operation.

The examiner acknowledged that Billington does not specifically disclose “selectively interfacing with a memory device, transferring substantially unidirectionally data stored at the memory device through the data/memory port to the server via the network port, and archiving the data in a hard disk drive of the server responsive to automatically detecting the memory device.”<sup>4</sup> The examiner alleged that Konetski remedied the deficiencies of Billington by disclosing “a system for using resources of a computer system in conjunction with a thin media client wherein the computer system may retrieve content based on a signal generated by software either at the thin media client or the computer system.”<sup>5</sup> The examiner concluded that it would be obvious to incorporate Konetski’s teachings into Billington “for the purpose of having the computer retrieve the content when a memory device is detected.”<sup>6</sup>

Konetski discloses a system that retrieves media content for the thin media clients 110, 120, and 130 “using communications network 150 or a local input device” (local to the computer) such as a USB device or CD-ROM.<sup>7</sup> This allows Konetski’s computer 100 to store, buffer, and process the digital media *before* it is provided to the thin clients 110, 120, or 130,<sup>8</sup> that is to preprocess the media for the thin clients 110, 120, and 130 so that the resources of computer system 100 may be used by thin media clients 110, 120, and 130 “to allow the clients to avoid including redundant resources” and “leverage” computer resources<sup>9</sup> otherwise requiring, for the thin clients, significant “memory, local storage, and processing power.”<sup>10</sup> In Konetski, therefore, the data flows from the communications network 150 to the computer 100 to the thin clients 110, 120, or 130. To the extent that Konetski discloses transferring processed media to the thin client, Konetski teaches away from the recited “enabling transferring substantially unidirectionally data stored at the memory device through the data/memory port to the server via the network port.” There is a distinction to be made between Konetski’s *control* “signal,” which may be transferred in a direction from thin client to computer, and Konetski’s *media data*, which

<sup>4</sup> Action dated Dec. 24, 2008, page 4.

<sup>5</sup> *Id.*

<sup>6</sup> See, for example, Action dated Dec. 24, 2008, page 4, which cites Konetski, par. 0014.

<sup>7</sup> Konetski; par. 0014, second sentence. Also, compare items 202 and 208 of Fig. 2.

<sup>8</sup> Konetski; par. 0020. Also par. 0015.

<sup>9</sup> Konetski; par. 0023, first and second sentences. See also par. 0011, second sentence.

<sup>10</sup> Konetski; par. 0002.

Konetski teaches should be transferred (e.g., from network 150) first to the computer 100 and then to the thin clients 110, 120, or 130. In any event, Konetski does not disclose, as recited in independent claim 1, transfer of the data “responsive to,” that is to say contingent on, “automatically detecting the memory device through the data/memory port.” Independent claims 11, 19, and 27, as amended, contain corresponding language.

The examiner further proposed that Clough be combined with Billington and Konetski to provide “selectively interfacing with a memory device” and “transferring substantially unidirectionally data stored at the memory data through the data/memory port to the server via the network port.”<sup>11</sup>

Clough discloses a wireless digital media card that may be removably inserted into a digital camera physically in the manner of “a conventional digital media card.”<sup>12</sup> The wireless digital media card includes a transceiver and antenna and can be configured to automatically transfer image data files, as captured by the digital camera, to an external PC or server so that the user need not “stop the photo shot to swap digital media cards or otherwise physically connect the digital camera to another device in order to transfer the stored image data files.”<sup>13</sup> In particular, the wireless media card includes memory 124 and logic 22 may be configured “to initiate a wireless communication session” with the external device and “to automatically transfer each image data file once it is stored in memory 124.”<sup>14</sup>

Apart from its special data transferring capabilities, Clough’s wireless media card is only a memory device, not a “thin client device” as claimed.<sup>15</sup> To clarify the difference between a memory device and a thin client device, amended claim 1 now recites a thin client device “integrated with a consumer electronic device” of a type including a “signal processor” configured “to process media content for playback by the consumer electronic device.”<sup>16</sup> Clough’s wireless media card is clearly not a thin client device as claimed for it is not “integrated with a consumer electronic device” of a type including elements for processing media content for playback. On the other hand, Clough nowhere suggests integrating elements of the wireless media card with the digital camera itself, presumably because, in Clough’s envisioned context,

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11 Action dated Dec. 24, 2008, page 4.

12 Clough; col. 3, lines 23-28 and 35-38.

13 Clough; col. 3, lines 4-16 and 45-47.

14 Clough; col. 3, line 46 and col. 3, line 65 to col. 4, line 6.

15 Note that Clough’s wireless media card relies on the digital camera to initially record or “capture” the image.

16 Support for these amendments is found in applicant’s original specification, for example, at pars. 0033-0034.

this would prevent the wireless card from being flexibly used interchangeably with different digital cameras of conventional type.

There is yet another reason why combining Clough with Billington and Konetski would fail to disclose the claimed embodiments. Although Clough describes that the logic 122 may be configured “to automatically transfer each image data file once it is stored in memory 124,” this only links automatic transfer with an event internal to the wireless media card, it does not link it to an event external to this alleged “thin client device,” specifically, to “automatically detecting the memory device” (in Clough, the digital camera with its stored images) “through the data/memory port,” as claimed. Clough does not describe that the camera is automatically detected and thereupon made to load its images into memory 124. Indeed, Clough’s sentence about “automatically” transferring images is provided as an “example” of how “at least a portion of one or more image data files” may be transferred from the camera, thus implying an intervening image selection step. In contrast, in the claims, in one controller mode, data is transferred as soon as the memory device is automatically detected “through the data/memory port.” To further emphasize this aspect, amended claim 1 now recites that this automatic detection occurs “substantially simultaneously with selective interfacing of the memory device with the data/memory port.”<sup>17</sup> Independent claims 11, 19, and 27, as amended, contain similar language.

For the above reasons, then, independent claims 1, 11, 19, and 27, as amended, patentably define over the proposed combination of Billington in view of Konetski and Clough. Similarly, dependent claims 2-10, 12-18, 20-26, and 28-33, which contain every limitation of a corresponding one of these independent claims, likewise patentably define over the art of record.

It may be noted, here, that claim 1 has been further amended including to call for a reader for reading the data from the memory device to enable the media content to be sent to the signal processor for playback.<sup>18</sup> Dependent claims 3-4, 14, and 29 recite further aspects that may be related to this reader.

Specifically, dependent claim 3 recites the reader “displaying a menu representing predetermined portions of the media content individually extractable from the data for consumer

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<sup>17</sup> That is, there is no appreciable delay between interfacing of the memory device with the data/memory port and automatic detection of the memory device. Support for this amendment is found in applicant’s original specification, for example, at par. 0027, wherein it is observed that the data is transferred “as soon as” the memory card is inserted into the memory/data interface 104.

<sup>18</sup> Support for this amendment is found in applicant’s original specification at pars. 0016-0018, 0021, and 0028.

playback.”<sup>19</sup> Claim 3 further recites that the controller enables, in an alternative mode, transferring substantially unidirectionally, based on user input “using the menu,” “selected ones of the predetermined portions” of the media content to the server via the network port.<sup>20</sup> In accordance with dependent claim 3 as amended, then, the controller uses the reader menu, as provided for the consumer playback function, to also enable user input of predetermined portions of media content to transfer. Dependent claims 14 and 29 recite related limitations. The cited references fail to disclose these aspects. Only Konetski describes a particular way to implement user selection of the data for transfer, which involves the computer first providing (transferring) to the thin client “a standard Internet browser or other user interface.”<sup>21</sup> Konetski fails to recognize that the selection interface may be provided by the thin client itself if the thin client is integrated with a consumer electronic device.

Dependent claim 4, as amended, recites that the reader provided by the thin client is a “card” reader.<sup>22</sup> This aspect further distinguishes, for example, over Clough where the wireless digital media card is not a thin client itself providing a card reader.

Based on the above, even separately of their respective parent claims, at least dependent claims 3-4, 14, and 29 patentably define over the cited references.

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<sup>19</sup> For support, see applicant’s original specification at par. 0028.

<sup>20</sup> For support, see applicant’s original specification at pars. 0028, 0031, and 0034.

<sup>21</sup> Konetski; par. 0014, fourth and fifth sentences.

<sup>22</sup> For support, see applicant’s original specification at pars. 0024 and 0027.

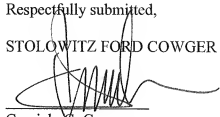
### CONCLUSION

For the foregoing reasons, the applicants respectfully request reconsideration and allowance of claims 1-33. The applicants encourage the examiner to call the undersigned if an interview would further prosecution.

**Customer No. 73552**

Respectfully submitted,

STOLOWITZ FORD COWGER LLP

A handwritten signature in black ink, appearing to read 'Graciela G. Cowger', written over a horizontal line.

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